

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

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|------------------|---|-------------------------------------|---|---------------------------|
| Applicants | : | GOELET, Philip <i>et al.</i> |) | |
| | | |) | Examiner: MYERS, Carla J. |
| Application No.: | | 09/258,132 |) | |
| | | |) | Group Art Unit: 1634 |
| Filing Date | : | 26 February 1999 |) | |
| | | |) | |
| Title: | | "Nucleic Acid Typing By Polymerase |) | |
| | | Extension of Oligonucleotides Using |) | |
| | | Terminator Mixtures" |) | |

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

21 June 2006



Mail Stop RCE
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)(4)**

SIR or MADAM:

Pursuant to 37 CFR 1.97(b)(4), the attorneys for the applicants hereby bring to the attention of the Patent and Trademark Office the three publications broadly related to the field of the invention of the application identified on the accompanying Form PTO/SB/08b. A copy of each of the items identified above is submitted with this statement.

The attorneys for the applicants take no position on whether or not any item listed on Form PTO SB/08b constitutes prior art against the subject application under any particular provision of Title 35 of the United States Code. It is noted in particular that the publication date of one item, an instruction manual entitled "Zeta-Probe[®] Blotting Membranes," is not presently known to the undersigned.

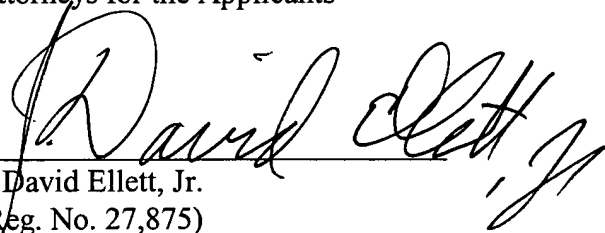
Applicant : GOELET, Philip *et al.*
Serial No.: 09/258,132
Filed : 26 February 1999
Page 2

The present information disclosure statement is being submitted simultaneously with a request for continued examination (RCE) of the application. An Office Action dated 19 May 2005 was issued in connection with the subject application in which claims 64 and 66 through 71 inclusive of the application were finally rejected. The final rejection was appealed in a notice of appeal timely submitted to the United States Patent and Trademark Office on 18 November 2005 with a certificate of first-class mailing. The appeal was dated 21 November 2005. A request to extend the time to file an appeal brief in the appeal with respect to the subject application through 21 June 2006 is being submitted to the United States Patent and Trademark Office with the present information disclosure statement. Also submitted with the present information disclosure statement and the request for continued examination (RCE) is a reply after final action. The request for continued examination submitted herewith and the reply constituting a submission accompanying the request for continued examination as required under 37 CFR 1.114(a)(c) are being timely submitted with certificates of first class mailing before abandonment of the subject application as required under 37 CFR 1.114(a).

Respectfully submitted,

Attorneys for the Applicants

By:


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Substitute for form 14498/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

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| Application Number | 09/258.132 |
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| <i>Filing Date</i> | 26 February 1999 |
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| First Named Inventor | GEOLET, Philip |
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| Art Unit | 1634 |
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| Examiner Name | MYERS, Carla J. |
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| Attorney Docket Number | 13017-3 |
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| Sheet | 1 | of | 1 |
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NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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